United Nations A/ES-10/492

General Assembly

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Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Letter dated 22 June 2010 from the Permanent Representatives of Egypt, the Libyan Arab Jamahiriya and the Syrian Arab Republic to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

We, Chairs of the Coordinating Bureau of the Non-Aligned Movement (NAM CoB), the Organization of the Islamic Conference (OIC) Group, and the Arab Group in New York, in a follow-up to the presidential statement adopted by the United Nations Security Council on 1 June 2010 (S/PRST/2010/9) and the resolution adopted by the Human Rights Council on 2 June 2010 (A/HRC/RES/14/1), urgently request the following:

- The immediate, unconditional and complete lifting of the illegal Israeli blockade imposed on the Palestinian people in the Gaza Strip and the opening of all Israeli border crossing points to allow for freedom of movement of persons and goods into and out of the Gaza Strip and to allow for permanent unfettered humanitarian access, in accordance with international humanitarian law and relevant United Nations resolutions.

- Conducting, without delay, under the auspices of the Secretary-General of the United Nations, a full, impartial, credible, transparent and independent international investigation, in accordance with the international standards, of the Israeli military attack against the maritime humanitarian convoy sailing to Gaza, which took place in international waters on 31 May 2010.

We reaffirm our conviction and the conviction of the States members of our groups that averting further escalation of tensions and destabilization of the situation, promoting a just, lasting, comprehensive and peaceful settlement to the Israeli-Palestinian conflict and the Arab-Israeli conflict as a whole, and ensuring the maintenance of peace and security in the Middle East and the eastern Mediterranean region will depend on the full implementation of all the relevant United Nations resolutions, including Security Council resolutions, regarding the question of

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Palestine and the situation in the Middle East and on the achievement of serious and timely progress on the crucial aforementioned issues.

It would be highly appreciated if the present letter could be circulated as a document of the General Assembly, under agenda items 15 and 16, the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Maged A. **Abdelaziz**
Ambassador and Permanent Representative of the Arab Republic of Egypt
Chair of the Coordinating Bureau of the Non-Aligned Movement

(*Signed*) Abdurrahman Mohamed **Shalgham**
Ambassador and Permanent Representative of the Libyan Arab Jamahiriya
Chair of the Arab Group in New York

(*Signed*) Bashar **Ja'afari**
Ambassador and Permanent Representative of the Syrian Arab Republic
Acting Chair of the Organization of the Islamic Conference Group

United Nations A/ES-10/493–S/2010/332

General Assembly
Security Council

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28 June 2010
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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fifth year

Identical letters dated 22 June 2010 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith the statement of the Council of Ministers of the Palestinian National Authority on the situation in the Occupied Palestinian Territory, including East Jerusalem, that was issued at the Council's fifty-third meeting on 21 June 2010 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

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Annex to the identical letters dated 22 June 2010 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Palestinian National Authority
Government Media Centre
Office of the Prime Minister

21 June 2010

Statement issued by the Council of Ministers at its fifty-third meeting

- The Council of Ministers strongly condemned the Israeli Government's decision to withdraw the identification documents of members of the Palestinian Legislative Council representing Jerusalem and to expel those members from the city
- The Council called for the lifting of the siege imposed on the Gaza Strip and the stationing of international observers alongside Palestinian National Authority personnel at border crossings
- The Council deplored settlement activity in Jerusalem and called for the intervention of the Quartet and the United States of America to halt such activity

At its meeting held today under the leadership of Prime Minister Salam Fayyad, the Council of Ministers stressed that it fully supported the call of the Executive Council of the Palestine Liberation Organization that the siege of the Gaza Strip should be lifted completely in order to allow the free and unconditional movement of goods, materials and necessities into the Gaza Strip, including building materials and materials required for economic and agricultural development. The Council of Ministers welcomed the Executive Council's resolution calling for the stationing of international observers alongside the competent authorities of the Palestinian National Authority at border crossings with Israel in order to ensure the lifting of the siege and the implementation of the 2005 Agreement on Movement and Access, which includes provisions on a secure corridor between the Gaza Strip and the West Bank. The Ministers also welcomed the Executive Council's call for measures aimed at ensuring the geographical unity of the West Bank and the Gaza Strip and freedom of movement between the two territories, as well as the right of Palestinians living in both parts of the country to communicate with one another and with the outside world.

The situation on the ground

The Council of Ministers reiterated its strong rejection and condemnation of the Israeli Government's decision to withdraw the identification documents of members of the Palestinian Legislative Council representing Jerusalem and to expel those members from the city. The Israeli Supreme Court recently upheld the decision to deport one of those parliamentarians on grounds of disloyalty to the State of Israel, thereby setting a dangerous precedent. The Council of Ministers emphasized that the deportation order and the Supreme Court's decision to uphold that order are violations of the Fourth Geneva Convention. The Council of Ministers

called on Israel to rescind that decision immediately and to comply with international law and United Nations resolutions that consider East Jerusalem an integral part of the Palestinian territory occupied since 1967. The Council of Ministers strongly condemned the Israeli Government's decision to build 1,600 new units in the Ramat Shlomo settlement in occupied Jerusalem and the ongoing attempts to demolish several houses in the Bustan quarter of the town of Silwan. The Council of Ministers affirmed that those repressive measures and dangerous actions required the intervention of the United States of America and the international community to bring them to a halt. The Council of Ministers emphasized that the efforts of the United States and the Quartet to restart the peace process would succeed only with the immediate cessation of settlement-building activity. It also emphasized that the borders of the State of Palestine should follow the borders of 4 June 1967 in preparation for the establishment of security arrangements between the State of Palestine and Israel and for talks on all permanent-status issues, including, inter alia, Jerusalem, refugees and water. The Government supported the Executive Council's position that indirect peace talks would be meaningless without Israel's commitment not only to the two-State solution but also to the terms of reference of the peace process, as set forth in United Nations resolutions and the Arab Peace Initiative.

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Tenth emergency special session

Agenda item 5

Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Letter dated 21 June 2010 from the Permanent Representative of Malaysia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the letter from the Honourable Dato' Sri Mohd. Najib, the Prime Minister of Malaysia, addressed to the Secretary-General (see annex). The letter is related to the recent unprovoked attack by the Israeli Defence Forces on vessels carrying humanitarian aid to Gaza.

I would like to request that the present letter and its annex be circulated as a document of the United Nations.

(*Signed*) **Hamidon** Ali
Ambassador
Permanent Representative of Malaysia to the United Nations

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Annex to the letter dated 21 June 2010 from the Permanent Representative of Malaysia to the United Nations addressed to the Secretary-General

Letter dated 17 June 2010 from the Prime Minister of Malaysia addressed to the Secretary-General

I write this letter to convey to you Malaysia's deep concern about the recent unprovoked attack by the Israeli Defence Forces in international waters on Gaza-bound vessels carrying humanitarian aid. The violent attack resulted in the killing and injuring of innocent and unarmed volunteers and was in complete disregard of international law and the Charter of the United Nations.

The world has been following the situation in Palestine for a long time. There is growing anxiety among a wide section of the people in the international community who are striving to build a world rooted in peace and justice, especially in the Middle East. In this context, the pressing need of the hour is for an unequivocal affirmation of the highest principles of justice, human rights and equality from the United Nations. I am encouraged that Your Excellency has strongly condemned the Israeli attack on the Freedom Flotilla, and Malaysia fully supports your proposal for the establishment of an international commission to investigate the attack, to be headed by the former Prime Minister of New Zealand, Sir Geoffrey Palmer, and to include representatives from the United States, Turkey and Israel.

As the Secretary-General of the United Nations, Your Excellency has a very crucial role to play. I would like to seek your personal intervention with members of the United Nations and with the leaders of the concerned parties to demand a full independent investigation of the Israeli attack on the innocent civilians in international waters and to demand that the parties concerned comply with the multitude of United Nations resolutions that have been adopted concerning the question of Palestine, including Security Council resolution 1860 (2009).

If the calls by the international community for the Security Council to initiate a prompt, impartial, credible and transparent investigation conforming to international standards on the Israeli attack on the innocent civilians in international waters fail to materialize, Malaysia would like to request Your Excellency to urge the members of the General Assembly to convene an emergency special session on the breach of international law due to the Israeli attack. This request is in accordance with General Assembly resolution 377 (A), entitled "Uniting for peace". There is a real danger of an alarming humanitarian crisis developing and putting at risk thousands of human lives if the inhumane blockade of Gaza since June 2007 is not fully lifted. The emergency special session should also pressure Israel to immediately lift the inhumane blockade of Gaza. Through this emergency special session, the General Assembly may request an advisory opinion from the International Court of Justice (ICJ) on the legality and legal consequences of the Israeli attack on the Freedom Flotilla in international waters.

Malaysia is of the view that the international community, especially the United Nations, should make every effort to ensure that this aggressive unilateral action by Israel does not lead to a widening of the conflict in the region. In fact, a wide section of people in the international community has long held the position that

durable peace, reconciliation and healing between Palestinians and Israelis should be based on the principles of equality and justice. We now urge Your Excellency to use your good offices to ensure that the United Nations acts as the guarantor and protector of human rights and justice in Palestine through firm and decisive action.

Excellency, may I count on your continued support in finding a peaceful and lasting solution to the problems in the Middle East.

(*Signed*) Dato' Sri **Mohd. Najib**

Enclosure

Motion in the Parliament of Malaysia condemning the Israeli attack on the Freedom Flotilla carrying humanitarian aid to Gaza

7 June 2010

In accordance with Standing Orders 27 (3), the House of Representatives of the Parliament of Malaysia hereby adopts the following resolution:

THAT, the Zionist military regime, under the orders of the Prime Minister of Israel, Benjamin Netanyahu, launched an attack without reason in international waters on the Freedom Flotilla vessel convoy carrying humanitarian aid to Gaza on 31 May 2010, which has resulted in deaths and injuries to the members of the humanitarian aid convoy;

THAT, the Zionist regime's attacks on the humanitarian aid vessels are in violation of international law, including human rights law, international humanitarian law and the Charter of the United Nations;

THAT, similar sentiments were voiced through the joint statement of the Foreign Ministers of the Association of Southeast Asian Nations (ASEAN) and the Gulf Cooperation Council (GCC) in Singapore on 1 June 2010, which sternly condemned the actions of the Israeli Zionist regime;

THAT, the people of Malaysia hold firmly the position that there is no justification for the excessive use of force on the humanitarian aid vessels bound for Gaza in aid of the Palestinian people; and

THAT, the people of Malaysia are deeply dismayed at the inability of the international community, particularly the United Nations Security Council, to take any strong action with regard to this violent act by the Zionist regime;

THUS, THIS HOUSE resolves to make the following resolutions:

(1) Strongly condemn the attack by the Zionist military regime, under the orders of the Prime Minister of Israel, Benjamin Netanyahu, on the humanitarian aid mission vessels to Gaza, which has resulted in deaths and injuries to civilians;

(2) Record profound disappointment with the United Nations Security Council on its mild statement on the violent attack by the Zionist regime on the humanitarian aid mission vessels;

(3) Decide to demand the United Nations Security Council to censure Israel and not merely issuing a mild statement;

(4) Decide for Malaysia to cooperate with the member countries of the Organization of the Islamic Conference (OIC), the Non-Aligned Movement (NAM), the League of Arab States and other like-minded countries to uphold the principles of international law, including human rights law, international humanitarian law and the Charter of the United Nations, in dealing with the humanitarian crisis in Gaza;

(5) Urge like-minded countries to propose a motion to the United Nations Security Council to refer the situation resulting from the attack by the Israel Zionist military regime to the International Criminal Court (ICC);

(6) Urge like-minded countries to propose a motion to the United Nations General Assembly to seek an advisory opinion from the International Court of Justice (ICJ);

(7) Request the State of Turkey to consider initiating action under the Rome Statute of the International Criminal Court (ICC);

(8) Call for a fully independent investigation to be conducted on the attack by the Zionist military regime and not merely an impartial investigation;

(9) Fully support the demands by the international community, particularly the Human Rights Council through its resolution 14/1 of 2 June 2010, for an accountable and fully independent investigation to be carried out on the attack;

(10) Demand that Israel not block any humanitarian aid convoy to the Palestinian people, particularly in Gaza, consistent with United Nations Security Council resolution 1860 (2009);

(11) Welcome the action by the State of Egypt to unconditionally open the Rafah border to ensure the unobstructed channelling of humanitarian aid;

(12) Appeal to the international community to continue extending humanitarian aid to the nationals of the Palestinian Territories in Gaza without being intimidated, and undaunted by the threats of the Zionist regime;

(13) Express appreciation to the States of Jordan, Turkey, Ireland, the Philippines and other countries that are involved in the efforts to secure the release of Malaysian nationals who were detained by the Zionist regime;

(14) Urge the Palestinian people to unite in safeguarding their inalienable rights to establish a free, independent and sovereign State of Palestine; and

(15) Express the solidarity of the people of Malaysia towards the cause of the Palestinian people in the establishment of a free independent and sovereign State of Palestine.

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Security Council

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Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fifth year

Identical letters dated 2 July 2010 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

We are writing today to express our grave concern over and objection to the escalating illegal practices by Israel, the occupying Power, in the Occupied Palestinian Territory, especially in Occupied East Jerusalem. Since our last letter, the occupying Power has intensified its illegal campaign against Occupied East Jerusalem, issuing additional home-demolition orders and revoking the residency rights of Palestinian Jerusalemites, including elected Palestinian Legislative Council (PLC) representatives.

Most recently, the Minister of Defence of Israel renewed an illegal order banning the head of the Islamic Higher Council in Jerusalem, Dr. Ikrima Sabri, from entering Al-Aqsa Compound for an additional six months. This unjustified decision comes as Israeli authorities are intensifying their campaign against notable Palestinian leaders in Jerusalem and as rights organizations reveal that Israeli Government institutions, including the Ministry of the Interior, are intensifying their efforts to renew home demolitions in the Occupied City on a massive scale. In fact, recent information indicates that the Israeli authorities intend to carry out 200 impending demolition orders against approximately 1,000 Palestinian homes in Occupied East Jerusalem. This planned campaign of massive destruction would affect thousands of Palestinians and render them homeless.

Despite its blatant illegality, Israeli occupation authorities are also pressing ahead with the revocation of residency rights for hundreds of Palestinian Jerusalemites, including most recently that of PLC member Mr. Mohammad Abu Tair, who now awaits trial and possible deportation on Sunday. Identification revocation is a serious measure, as it displaces and separates families as well as contributes directly and enormously to the occupying Power's blatant campaign to empty the Occupied City of its original Palestinian inhabitants. In this regard, we would like to stress our rejection of this illegal measure and reiterate that no matter how massive, this criminal ethnic cleansing campaign shall have no bearing on the

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final status of the City, which shall remain the eternal capital of Palestine, in line with international law and the relevant General Assembly and Security Council resolutions.

While Occupied East Jerusalem is bearing the brunt of the current illegal and aggressive actions by Israel, the occupying Power, the rest of the Occupied Palestinian Territory also continues to suffer from the occupation's punitive measures. The Save the Children organization has just revealed that Palestinian children in the Occupied West Bank, particularly those living in Area C, suffer more hunger and malnutrition than children in the war-ravaged and siege-stricken Gaza Strip owing to Israel's continuing campaign of home demolitions, illegal settlement expansion and movement restrictions. On Thursday, 1 July 2010, the Israeli occupation authorities added several families to the list of new victims when bulldozers demolished 13 homes and dozens of shacks in the Jordan Valley.

The Gaza Strip also continues to suffer from the devastating effects of the inhumane and illegal Israeli blockade. The occupying Power has yet to release a list of the civilian goods it will allow into the Strip. In fact, the occupation authorities have once again cynically exploited media attention by announcing the entry of items such as ketchup and condiments while remaining silent on why critically needed medical equipment and building materials remain barred from entering Gaza despite promises to the contrary.

These measures, which continue unabated despite the international outcry, constitute a stark reflection of the true intentions and agenda of the current Israeli Government, which continues to adopt intransigent positions in the ongoing proximity talks. The international community is at a cross point now. It must exhibit the necessary moral leadership to confront these measures and ensure that they cease immediately. The two-State solution, which is the common international goal and undisputed requisite for peace in the Middle East, has never been more threatened. The actions of Israel, the occupying Power, are rendering this international necessity for peace devoid of meaning and viability. Hence, the international community, represented by the United Nations, must take clear action to ensure that the path of walls, settlements, war crimes and belligerence is promptly and swiftly replaced by concerted action for peace, the path to which is shorter, clearer and far more valuable than the current irresponsible procrastination and falsehoods in which Israel is currently engaged.

Finally, allow me to reassure you that the Palestinian leadership is determined to continue on its path of State-building and peace, despite the obstacles and the aggression meted out to it by the occupying Power. The Palestinians are determined to remain in full partnership with the international community in our respect for international law and the efforts to implement the relevant United Nations resolutions in order to protect international peace and security by resolving this conflict and establishing an independent, viable and contiguous Palestinian State, with East Jerusalem as its capital.

This letter is in follow-up to our previous 370 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 16 June 2010 (A/ES-10/491-S/2010/317), constitute a basic record of the crimes committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism

and systematic human rights violations committed against the Palestinian people. Israel, the occupying Power, must be held accountable, and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Dr. Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations